

MINUTES – JANUARY 10, 2005

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, January 10, 2005. Members present: George W. Ward, Jr., Vice-Chairman, Larry G. Hamlett, Jack W. Hooper, Jeremiah Jefferies, Kenneth D. Travis, and C. Hester Vernon, III. Absent: Nathaniel Hall, Chairman. Also present: Jeffrey H. Earp, County Manager, Robert V. Shaver, Jr., County Attorney, Gordon Bendall representing The Caswell Messenger, and Lauren Chesnut representing The Danville Register & Bee. Wanda P. Smith, Clerk to the Board, recorded the minutes.

Vice-Chairman Ward presided over the meeting.

MOMENT OF SILENT PRAYER

Vice-Chairman Ward opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Commissioner Jefferies moved, seconded by Commissioner Travis to approve the agenda as presented. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Hamlett moved, seconded by Commissioner Jefferies to approve the Consent Agenda as presented. The motion carried unanimously.

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of December 20, 2004 Meeting
- 2) Budget Amendment No. 12

PUBLIC COMMENTS

Vice-Chairman Ward opened the floor for public comments.

Mr. Thomas McKinney of 9227 NC Hwy 150, corner of Turner Road, came before the Board and stated that he would like to speak concerning hunting with deer dogs. Mr. McKinney added that he has lived in Caswell County for 27 years and owns a tree farm on the corner of Turner Road and NC Hwy 150. Mr. McKinney stated that he is retired and one of his hobbies is raising peacocks. Mr. McKinney informed the Board that he has been having problems with deer dogs for about 12 years. Mr. McKinney shared with the Board pictures he had taken of damage to his peacocks caused by deer dogs. Mr. McKinney stated that there may already be enough laws to take care of the problem, but

it does not look like they are being enforced. Mr. McKinney added that he has nothing against dogs, but felt that the owners needed to be responsible for their dogs. Mr. McKinney stated that the hunters with dogs, the landowners, and the still hunters all have guns and one day something will happen. Mr. McKinney added that there needs to be a compromise. Mr. McKinney stated that the owners of these dogs need to be held responsible for their dogs, because the dogs are just doing what they have been trained to do. Mr. McKinney added that the situation with deer dogs is getting worse every year and he is getting tired of it. Mr. McKinney stated that all he wants is for something to be done so that the dog owner is held responsible for his dog and for law enforcement to enforce this.

Mr. Jack Norris, of 7604 Tiarella Court, Summerfield, NC came before the Board and stated that he has owned land in Caswell County since 1997 and he is present to speak on law enforcement. Mr. Norris stated that in the past six years his house has been broken into on two different occasions. Mr. Norris added that he has had TV's, stereos, lawnmowers, and four-wheelers stolen, but he has also had tree stands, trail cameras, and this past year had 600 ft. of fence stolen. Mr. Norris stated that he has called the Sheriff's Department on numerous occasions, and they have told him that it is being done by individuals buying and selling drugs. Mr. Norris noted that he would believe this as far as his house being broken into, but did not feel these are the same individuals that are stealing tree stands and fences. Mr. Norris stated that his biggest problem is being trespassed upon and the last two or three years it seems the problem is continually getting worse and he has been harassed, vandalized, and threatened. Mr. Norris added that the reason for this is because he owns this land and he does not want anyone on it. Mr. Norris stated that he realizes that there are laws in place to protect this, but did not feel that they are being enforced. Mr. Norris informed the Board of an incident with hunters on January 1st whereby he called the Sheriff's Department and Mr. Barry Joyce, Wildlife Enforcement Officer. Mr. Norris stated that he and his family have a right to be protected and should not be subjected to the behavior exhibited by these hunters. Mr. Norris added that he would appreciate the Board's help in having the laws enforced here so that they would not have to endure these kinds of things.

Ms. Nichole Smith, of 943 Union Ridge Road, came before the Board and stated that she has lived in Caswell County all of her life. Ms. Smith added that her family owns land that they hunt on and she would like to speak concerning the hunting dogs. Ms. Smith informed the Board that this year they have had many bad experiences. Ms. Smith stated that she took a week off from work to hunt and everyday saw at least eight hunting dogs and house dogs running in packs together. Ms. Smith added that each night when she got out of the stands, she was scared that she would get bitten or attacked. Ms. Smith stated that one day in particular when she went hunting all she dealt with was four-wheelers and dogs and this was on posted private land. Ms. Smith added that someone could easily get upset and mad about this and something will eventually happen. Ms. Smith pointed out that in traveling NC 62 every morning hunters are lined up along the road with their rifles and stated that this is dangerous and someone is going to get hurt. Ms. Smith stated that if this issue went to a vote before the people, everyone would be surprised because a lot

of people, especially elderly people, are afraid to speak up because they are scared of their property being vandalized.

Mr. Troy Smith, of 943 Union Ridge Road, came before the Board and stated that he is not an anti-dog person, he is a landowner, he leases land and has hunted with dogs all of his life. Mr. Smith added that over the last ten years the County has grown and developed and a lot of land has been lost and he now still hunts and plants food plots for game. Mr. Smith stated that over the last five years he has had problems with house dogs and deer dogs and saw 13 different dogs during muzzle loading season this year. Mr. Smith added that dogs are running loose, no collars, left-over hunting dogs from the year before that people do not want, and the County should not have to deal with these dogs that people take collars off of at the end of the season and leave for Animal Control. Mr. Smith stated that he takes his week of vacation to hunt and he does not feel it is fair to not be able to enjoy it in peace on his own land. Mr. Smith stated that if a dog comes on his property and destroys property, the owner should be responsible. Mr. Smith added that these dogs need to be under control. Mr. Smith stated that this is an on-going situation that involves two different sides that have guns and is going to result in a confrontation such as an incident that has happened in the County in the past. Mr. Smith informed the Board that the same people, year after year, are the ones who are letting their dogs run loose, but has been told that if the dogs are not caught trespassing on an individual's land, there is nothing that can be done. Mr. Smith noted that the County has grown unbelievably and the woods are now full of homes. Mr. Smith pleaded with the Board to do something about the situation before someone gets hurt. Mr. Smith added that people needed to be respectful of their neighbors. Mr. Smith stated that the land in the County is gone and the County will never be the same because of development. Mr. Smith added that he knows that the County needs to grow, but when it grows, the laws need to be changed.

Mr. Jack Turner, of 124 Lake Pointe Drive on Farmer Lake, came before the Board and stated that he lives in a residential area and in the past few weeks they have had the experience of packs of dogs running through their neighborhood. Mr. Turner added that their neighborhood is clearly marked as residential property, is posted, and states that trespassers will be prosecuted. Mr. Turner informed the Board that one of his neighbors identified the owner of one of the dogs, got the license number of the truck, and made a complaint. Mr. Turner stated that the owner was identified as a resident of Greensboro and he was told that there was nothing that could be done because they did not know that the owner of the truck was driving it that day. Mr. Turner added that this was very frustrating for everyone in his neighborhood because they thought they were being responsible, they sought help, and expected the laws to be enforced, but were told that they were not going to be. Mr. Turner stated that the County is getting in a bad position when there are a bunch of people with strong opinions and guns and they are getting mad and frustrated and this is not in the best interest of the County. Mr. Turner added that he hoped it did not take someone getting killed before the laws in the County are enforced.

Mr. Tommy Gordon of 4412 Finch Farm Road, Trinity, NC came before the Board and stated that he is a resident of Randolph County, but has held a lease in Caswell County

for 24 years. Mr. Gordon added that he is a member of a still-hunting club of ten members and they would like to see something done to protect their rights. Mr. Gordon stated that they do not infringe on the rights of other leaseholders or property owners. Mr. Gordon added that no member of their club has ever had any kind of citation issued for any violation of game laws, they hunt by the book, and would like to see the laws on the books strengthened and enforced. Mr. Gordon stated that he would like for the Board to look at rules and laws in place in Pitt County that are making a difference and they had the same kinds of hunting problems as Caswell County. Mr. Gordon informed the Board that there is enough evidence to see that there is a problem in the County and it needs to be dealt with. Mr. Gordon stated that he did not feel that splitting the season would be the answer because it would only shorten the season for dog running and would make for a free-for-all in a short period of time. Mr. Gordon stated that he would appreciate the Board listening to what is said tonight and looking at some way to resolve this matter.

Mr. Tim Huffman of 6301 Checker Road, High Point, NC came before the Board and stated that he is a land leaser in Caswell County for the purpose of recreation, relaxation, hunting, and fishing, and is also a club member with Mr. Gordon. Mr. Huffman added that he has a concern with what's headed down the road with what is going on in the County in regard to dog hunting and deer hunting. Mr. Huffman stated that he enjoys still hunting and added that the problem is not with the dogs, it is with the dog hunters who have no respect for the still hunters' property. Mr. Huffman added that the property is posted, but they come walking onto the property looking for their dogs, they do not ask for permission, and then after being approached, they respond to you with a sarcastic remark. Mr. Huffman referred to an incident that occurred in the County several years ago in which two men were trespassing during hunting season and were gunned down by a man with a rifle and to a recent incident that occurred in Wisconsin this past November in which six people were killed as a result of a trespassing issue. Mr. Huffman asked that they get some help with the trespassing situation so that they can all enjoy hunting in peace before there is more blood shed. Mr. Huffman stated that he pastors a church in High Point and people are living in a society today where there is no respect for the law, there is no respect for anyone's property, the law does not do much anymore for whatever is done, their hand is slapped, and they are sent back out and they do the same thing again. Mr. Huffman added that the situation is not going to get better, it is only going to get worse.

Mr. Buddy Garland, of 171 Lake Shore Drive, on Farmer Lake, came before the Board and stated that he has had dogs three times on his land and all three times the dogs would not leave. Mr. Garland added that he called the Game Warden and was told that there was nothing he could do about it. Mr. Garland stated that he called the Game Warden again and was told that he would give the dog owner a citation if he could find him. Mr. Garland noted that someone is going to get hurt bad and if the Commissioners do not represent the people in the County who elected them, then they will not be there next time. Mr. Garland stated that he has even heard threats that have been made against Commissioners. Mr. Garland stated that the County is speaking and the Board should listen. Mr. Garland added that he does not even consider deer hunting with dogs a sport.

Mr. David Brick of 372 Lake Pointe Drive, on Farmer Lake, came before the Board and stated that he has lived in Caswell County for four and one-half years. Mr. Brick added that he has had problems with deer hunting dogs every year and last month he had a pack of about 20 dogs come through his development. Mr. Brick stated that he called the Sheriff and was told that it is a hunting problem. Mr. Brick informed the Board that the owners of these dogs pulled into their development, which is private property, they got their license number, and went to the Magistrate's Office to file a complaint. Mr. Brick stated that he was told by the Magistrate that he could not file a complaint against a license number, that he had to have an individual so he went to the Sheriff's Office to file a complaint. Mr. Brick informed the Board that the Sheriff's Office gave him the name and address of the individual who owned the truck in Greensboro and went back to the Magistrate's Office but was told that the Magistrate would not file the complaint because he did not know that the owner of the truck was the person driving the truck and retrieving the dogs. Mr. Brick stated that there are too many people in the County to continue to run life like this and there has to be enforcement of laws. Mr. Brick informed the Board that Farmer Lake has attracted a new type of boat which is a flat boat with an airplane motor on top. Mr. Brick noted that jet skis and water skis are not allowed on Farmer Lake in part because of the noise and situations they create. Mr. Brick stated that the owners of these air boats can go close to the edge of the Lake at high rates of speed, disturbing wildlife and residents, as well as those in kayaks and canoes, and delight in the amount of noise that they can make. Mr. Brick added that he has called the Lake Warden on numerous occasions and has been told that there is nothing that he can do. Mr. Brick stated that the Board can do something, they can define that this type of vehicle is not appropriate for Farmer Lake and it sounds like an airplane with no muffler.

Mr. Ronnie Grinstead of Haw River came before the Board and stated that he has a hunting lease in Caswell County and he takes three weeks of vacation every year to come here and hunt. Mr. Grinstead added that he has been hunting in the County for four years and this year he got run over constantly by deer dogs. Mr. Grinstead stated that he caught some dogs the opening week of regular firearms season and he called the names on the dogs' collars and told them they were on posted property. Mr. Grinstead added that he called the owners and told them he had their dogs rather than calling the Sheriff or Wildlife and asked them to stay off of his property. Mr. Grinstead stated that one of these dogs constantly ran all over them during hunting season and they finally caught the dog and tied it up. Mr. Grinstead added that they called Mr. Barry Joyce, Wildlife Enforcement Officer, and gave him the information about the owner and before Mr. Joyce could get there, someone came by and cut the strap that the dog was tied to, took the collar off of the dog, and left the dog. Mr. Grinstead stated that this is the kind of thing that is going to get someone killed if something is not done.

APPROVAL OF LETTER OF RECOMMENDATION FOR PROPOSED MULTI-JURISDICTIONAL THOROUGHFARE PLAN

Mr. Mike Cusimano, County Planner, came before the Board and stated that on November 22, 2004, the Caswell County Transportation Improvement Plan Committee met to discuss future priority needs for the County. Mr. Cusimano noted that the

Committee is comprised of elected officials and staff from all three jurisdictions as well as staff from the PTCOG and NCDOT. Mr. Cusimano reported that one of the items discussed at that meeting was the need for a comprehensive Thoroughfare Plan that addressed transportation needs for all three jurisdictions. Mr. Cusimano stated that the Committee recommended to Ms. Hanna Cockburn, Senior Planner with the Piedmont Triad Council of Governments, that through the County's participation in the Piedmont Triad RPO, that they approach NCDOT to solicit their assistance of such a plan. Mr. Cusimano reported that NCDOT has agreed to provide planning assistance to them. Mr. Cusimano added that Ms. Cockburn has requested that the elected boards in each jurisdiction endorse this approach to transportation planning for the County by submitting a letter of endorsement to her.

After further discussion, Commissioner Hamlett moved, seconded by Commissioner Vernon to approve a letter of endorsement for the proposed approach to transportation planning and concur that the development of a multi-jurisdictional transportation thoroughfare plan is in the best interest of Caswell County, and that the plan should be developed through the combined efforts of the County, Yanceyville, Milton, NCDOT and PTCOG. The motion carried unanimously.

CASWELL BROADBAND FOUNDATION BOARD OF DIRECTORS

Mr. Jeff Earp, County Manager, reported that at its December 20, 2004 meeting, the Board of Commissioners considered the request from the Caswell Broadband Foundation to support their efforts with the appointment of one member to their Board of Directors. Mr. Earp stated that at that time, the Board voted to approve the request and stated that they would be prepared to accept nominees at this meeting and approve an appointment. After discussion, Commissioner Jefferies moved, seconded by Commissioner Hamlett to appoint Commissioner Vernon to serve on the Caswell Broadband Foundation Board of Directors. The motion carried unanimously.

COUNTY MANAGER'S REPORT

Mr. Jeff Earp, County Manager, reported that the North Carolina Association of County Commissioners will be holding its 2005 Legislative Goals Conference on January 13-14, 2005, in High Point. Mr. Earp stated that each member county is entitled to cast one vote on goals presented at the Conference and a county vote may be cast by any properly designated County official in attendance at the meeting. After discussion, Chairman Ward moved, seconded by Commissioner Travis to appoint Commissioner Jefferies as the County's voting delegate at the 2005 Legislative Goals Conference. The motion carried unanimously.

Mr. Earp reported that the Caswell County Human Relations Commission has extended an invitation to the Board of Commissioners to attend the Martin Luther King, Jr. Birthday Breakfast on January 17, 2005 at 7:30 a.m., to be held at Pinnacle Studios.

Mr. Earp referred to a letter from Representative-Elect Bill Faison in which he stated that he would support and work for a reduction in the Medicaid costs to Caswell County, and would also support a practical way to phase out and eliminate the cost sharing.

ANNOUNCEMENTS/QUESTIONS

Commissioner Hooper questioned the status of the Fairgrounds property and stated that he was approached concerning this issue today. Mr. Earp reported that the Board had directed him to let the Fairgrounds representatives know in case they decided to dispose of the property that the County would like to exercise its first right-of-refusal option.

Commissioner Hamlett stated that in reviewing the Monthly Overtime Report, he observed that there is still a considerable amount of overtime by County employees. Mr. Earp noted that this issue is being monitored very closely.

Commissioner Vernon stated that he also had concerns when reviewing the Monthly Overtime Report.

CLOSED SESSION

Vice-Chairman Ward moved, seconded by Commissioner Jefferies that the Board enter into closed session to prevent the disclosure of confidential information that is made privileged or confidential (NCGS 143-318.10(e)). The motion carried unanimously.

REGULAR SESSION

Commissioner Travis moved, seconded by Commissioner Jefferies to resume regular session. The motion carried unanimously.

DEER HUNTING WITH DOGS

Commissioner Hooper stated that he felt the Board needed to emphasize to Sheriff Welch that when citizens call the Sheriff's Office relating to hunting problems, that his office give them every consideration in resolving issues and helping them in order to alleviate life-threatening situations. Commissioner Hooper added that something needs to be done when threats are made against someone's life. Commissioner Hooper stated that a man is responsible for his dogs and if a few arrests are made, some of the problems would stop. Commissioner Hooper added that the Commissioners are the ones that can make this work.

It was suggested that a meeting be held with the Sheriff, Wildlife Enforcement Officer, Animal Control Officers, and possibly Representative-Elect Bill Faison to discuss these issues to try to come up with a resolution.

It was recommended that a Sub-committee be appointed to meet with the suggested individuals and then report back to the full Board. It was decided that Commissioner

Hooper would serve on this sub-committee and other appointments would be made at the Board's January 24th meeting.

THE ADJOURNMENT

At 7:40 p.m. Vice-Chairman Ward moved, seconded by Commissioner Hamlett to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

Nathaniel Hall
Chairman
